

APPENDIX A
INFORMATION REPOSITORY LOCATIONS

Information Repository Locations

Altadena Public Library
600 E. Mariposa Ave.
Altadena, CA 91001
(626) 798-0833

La Cañada Flintridge Public Library
4545 Oakwood Ave.
La Cañada Flintridge, CA 91011
(818) 790-3330

Pasadena Central Library
285 E. Walnut St.
Pasadena, CA 91101
(626) 744-4052

JPL Repository
(JPL Employees Only)
4800 Oak Grove Dr., Bldg. 111
(818) 354-4200

APPENDIX B
GLOSSARY OF TERMS

Glossary of Terms

Administrative Record: A file that is maintained by the lead agency (e.g., NASA) that contains technical documents and other information prepared as part of environmental activities under CERCLA. Copies of this file are available for public review at information repositories located at or near the site. A duplicate file may be maintained in another location, such as an EPA Regional Office.

Community Relations Plan (CRP): A formal plan for community relations activities at a CERCLA site. The CRP is designed to identify opportunities for public involvement, determine activities that will provide for such involvement, and educate citizens on the CERCLA process/work.

Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA): A federal law passed in 1980 and modified in 1986 by SARA. CERCLA and SARA created a specific tax that goes into a trust fund, commonly known as Superfund. The CERCLA provides financial resources for the investigation and cleanup of abandoned hazardous waste sites. These funds are used to:

- Pay for site cleanup when responsible parties cannot be identified or are unwilling or unable to perform the work, and/or
- Take legal action to force responsible parties to clean up the site or pay back the federal government for the cost of cleanup.

Engineering Estimate/Cost Analysis (EE/CA): A document that is prepared prior to a removal action where there is more than a six-month planning period before the removal action will begin. The EE/CA identifies the objectives of the removal action and evaluates various alternatives with respect to cost, effectiveness, and implementability.

Feasibility Study (FS): An engineering evaluation of potential cleanup technologies for a site. An FS evaluates technologies based on protectiveness of human health and the environment, effectiveness, compliance with regulations, implementability, and cost.

Hazard Ranking System (HRS): A scoring system used to evaluate potential relative risks to public health and the environment from releases or threatened releases of hazardous substances. EPA uses the HRS to calculate a site score (from 0 to 100) based on the actual or potential release of hazardous substances from a site through air, surface water, or groundwater. This score is the primary factor used to decide if a hazardous waste site should be placed on the NPL.

Information Repository: A copy of the Administrative Record file containing technical documentation and other information associated with a CERCLA site. Any record that documents a decision that affects the CERCLA program will be included in the Information Repository. The repository is usually located in a public building that is convenient for local residents, such as a school or library.

National Oil and Hazardous Substances Pollution Contingency Plan (NCP): A body of federal regulations governing the implementation of the CERCLA. The NCP describes how site activities will be performed.

National Priorities List (NPL): EPA's list of the most serious hazardous waste sites. The list is based primarily on the score a site receives that is calculated using the HRS. EPA is required to update the NPL at least once a year.

Operable Unit (OU): Sites regulated under CERCLA are often divided into smaller, sub-units called operable units. OUs can be designated based on type of waste, media, or physical location.

Preferred Alternative: The remedial alternative proposed by the lead agency as identified in the FS, Proposed Plan, and ROD.

Preliminary Assessment (PA): The process of collecting and reviewing available information about a known or suspected hazardous waste site or release. This information is used to determine if the site requires further study (i.e., a Site Investigation [SI]).

Proposed Plan: A document required by CERCLA that summarizes for the public the preferred alternative, rationale for the preference, and other alternatives considered in the RI/FS. The Proposed Plan is intended to solicit public review and comment on remedial alternatives under consideration.

Record of Decision (ROD): A legal document that identifies the cleanup remedy at a CERCLA site. The alternative identified in the ROD is based on investigation and technical evaluation performed during the RI/FS as well as consideration of public comments and community concerns.

Remedial Action (RA): The actual construction or implementation phase of the selected remedy at a site. The RA follows the RD.

Remedial Design (RD): A phase conducted after completion of the ROD when engineering documents, technical drawings, and specifications are developed to detail activities associated with the remedial action at the site.

Remedial Investigation (RI): An investigative field study designed to gather the data necessary to determine the type and extent of waste present at the site.

Remediation: Actions taken to address a release or threatened release of hazardous substances that could affect public health, welfare, or the environment. The term remediation often is used broadly to describe various CERCLA response actions, such as a removal action or a remedial action.

Removal Action: A short-term action taken to address a release or threatened release of hazardous substances.

Risk Assessment: A study conducted during the RI that evaluates potential risk posed to public health, welfare, and the environment at a CERCLA site.

Site Investigation (SI): An investigative phase, which is designed to collect information on a hazardous waste site and which follows the Preliminary Assessment (PA). The information is used to score the site using the HRS and to determine whether additional clean up activities are required.

Superfund: The common name used in reference to CERCLA or the trust fund established by CERCLA.

Superfund Amendments and Reauthorization Act of 1986 (SARA): Modifications to CERCLA enacted on October 17, 1986.

Volatile Organic Compound (VOC): A compound that contains the element carbon and that readily evaporates into air at room temperature.

APPENDIX C

THE SUPERFUND ENFORCEMENT PROCESS: HOW IT WORKS (EPA, 1988)

The Superfund Enforcement Process: How It Works

*****Disclaimer*****

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Summer 1988

**United States Environmental Protection Agency
Washington, D.C. 20460**

**Office of Solid Waste
and Emergency Response**

**Office of Waste
Programs Enforcement**

Environmental Fact Sheet

**The Superfund Enforcement
Process: How It Works**

INTRODUCTION

In 1980, Congress passed the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), commonly called Superfund. This law provides the U.S. Environmental Protection Agency (EPA) with the authority and necessary tools to respond directly or to compel potentially responsible parties (PRP's) to respond to releases or threatened releases of hazardous substances, pollutants or contaminants. CERCLA created two parallel and complementary programs aimed at achieving this goal.

The first program involves the creation of a trust fund financed through a special tax on the chemical and petroleum industries. This trust fund, known as the Superfund, may be available for site remediation when no viable PRPs are found or when PRPs fail to take necessary response actions. PRPs are defined as parties identified as having owned or operated hazardous substance sites, or who have transported or arranged for disposal or treatment of hazardous substances, pollutants or contaminants at such sites. The second program provides EPA with the authority to negotiate settlements, to issue orders to PRPs directing them to take necessary response actions, or to sue PRPs to repay the costs of such actions when the Trust Fund has been used for these purposes. The actions EPA takes to reach settlement or to compel responsible parties to pay for or undertake the remediation of sites are referred to as the Superfund enforcement process. CERCLA was reauthorized and amended on October 17, 1986, by the Superfund Amendments and Reauthorization Act (SARA). SARA provides EPA with new authorities and tools that strengthen the enforcement program.

LIST OF ACRONYMS

CERCLA:	Comprehensive Environmental Response, Compensation and Liability Act of 1980
IAG:	Interagency Agreement
NBAR:	Non-binding Allocation of Responsibility
NPL:	National Priorities List
PRP:	Potentially Responsible Party
RCRA:	Resource Conservation and Recovery Act, as Amended
RD/RA:	Remedial Design/Remedial Action
RI/FS:	Remedial Investigation/Feasibility Study
ROD:	Record of Decision
SARA:	Superfund Amendments and Reauthorization Act of 1986

This fact sheet describes the enforcement authorities and the process that is followed under the Superfund program. It describes the options available to EPA for remediating hazardous waste sites; the tools and mechanisms that EPA may use in negotiating settlements with PRPs, and describes the decision-making process at enforcement sites.

OVERVIEW OF THE ENFORCEMENT PROGRAM

A major goal of the Superfund program is to encourage PRPs to encourage PRPs to remediate hazardous waste sites. The enforcement process normally used by EPA to enlist PRP involvement may include five major efforts.

First, EPA attempts to identify PRPs as early in the Superfund process as possible. Once identified, EPA will notify these parties of their potential liability for response work when the site is scheduled for some action. Second, in the course of identifying response work to be done, EPA will encourage PRPs to do the work at a site.

Third, if EPA believes the PRP is willing and capable of doing the work, EPA will attempt to negotiate an enforcement agreement with the PRP(s). The enforcement agreement may be an agreement entered in court (such as a judicial consent decree) or it may be an administrative order (where EPA and the PRP(s) sign an agreement outside of court). Both of these agreements are enforceable in a court of law. Under both agreements EPA oversees the PRP.

Fourth, if a settlement is not reached, EPA can use its authority to issue a unilateral administrative order or directly file suit against the PRP(s). Under either course of action, PRPs are directed to perform removal or remedial actions at a site. If the PRPs do not respond to an administrative order, EPA has the option of filing a law suit to compel performance.

SUPERFUND REMEDIAL/ENFORCEMENT PROCESS

To understand the enforcement process, it is necessary to understand the Superfund remedial process. Under the remedial program, EPA takes long-term actions to stop or substantially reduce releases or threats of releases of hazardous substances that are serious but not immediately life-threatening. Removal actions, which are short-term, immediate actions intended to stabilize a hazardous incident or remove contaminants from a site that pose a threat to human health or welfare or the environment, may be taken at any point in the remedial process

The Superfund process begins with a preliminary assessment/site inspection (PA/ST). This usually is conducted by the State, to determine whether the site poses a significant enough potential hazard to warrant further study and investigation.

The site is then ranked using the Hazard Ranking System (HRS), a numerical ranking system used to identify the site's potential hazard to the environment and public health. Sites assigned an HRS score of 28.5 or above are added to the National Priorities List (NPL).

Next, a remedial investigation (RI) is conducted to assess the extent and nature of the contamination and the potential risks. A feasibility study (FS) is then prepared to examine and evaluate various remedial alternatives.

Following a public comment period on EPA's preferred alternative and the draft FS report, EPA chooses a specific remedial plan and outlines its selection in the Record of Decision (ROD).

Once the remedial design (RD) (which includes engineering plans and specifications) is completed, the actual site work, or remedial action (RA) can begin. After RD/RA activities have been completed, the site is monitored to ensure the effectiveness of the responses. Certain measures require ongoing operation or periodic maintenance.

Fifth, if PRPs do not perform the response action and EPA undertakes the work, EPA will file suit against PRPs, when practicable, to recover money spent by EPA and deposit it in the Superfund Trust Fund. This is called cost recovery, and it is a major priority under the Superfund program.

THE ENFORCEMENT PROCESS FOR REMEDIAL ACTIONS

PRP Search and Notice

EPA is committed to strengthening efforts to reach settlements with PRPs, EPA believes that settlements are most likely to occur when EPA interacts frequently with PRPs.

ENFORCEMENT AUTHORITIES

The original Superfund program was reauthorized and expanded on October 17, 1986, when President Reagan signed into law the Superfund Amendments and Reauthorization Act of 1986 (SARA). These amendments increased the Superfund Trust Fund to \$8.5 billion and clarified and expended enforcement authorities:

- Access and Information Gathering - SARA strengthens EPA's ability to obtain access to investigate sites and to obtain information from parties with knowledge of the site.
- Settlement Authorities - CERCLA authorizes EPA to compel a PRP to undertake necessary actions to control the threat of imminent and substantial endangerment to human health or the environment. To accomplish this, EPA may either issue an administrative order or bring a civil action against the PRP in court. SARA outlines specific procedures for negotiating settlements with PRPs to conduct voluntary response actions at hazardous waste sites.
- Cost Recovery - Once a Fund-financed response has been undertaken, EPA can recover costs from the responsible parties. Past and present facility owners and operators, as well as hazardous substance generators and transporters, can all be liable under Superfund for response costs and for damage to natural resources. EPA may recover Federal response costs from any or all of the responsible parties involved in a remedial action. The monies recovered go back into the Fund for use in future response actions.
- Criminal Authorities - SARA increases criminal penalties for failure to provide notice of a release and makes submitting false information a criminal offense.
- Citizen Suits - SARA authorizes a citizen to sue any person, the United States, or an individual States for any violation of standards and requirements of the law, under certain conditions.

Federal Facilities

SARA also adds a section dealing with releases of hazardous substances at Federal facilities. This provision clarifies that Superfund applies to Federal agencies and that they must comply with its requirements. SARA clearly defines the process Federal agencies must follow in undertaking remedial responses. At NPL sites, EPA makes the final solution of the remedy if the Federal agency and EPA disagree. A Federal agency must remediate a Federal facility through an interagency agreement (IAG), except in emergency situations. IAGs are enforceable agreements between Federal agencies that are subject to the citizen suit provisions in SARA and to section 109 penalties, if the responding agency does not comply with the terms of the agreement.

SARA also provides a schedule for response actions at Federal facilities, including a schedule for preliminary assessment, listing on the National Priorities List, remedial investigations/feasibility studies, and remedial actions. State and local officials also must be given the opportunity to participate in the planning and selection of any remedy, including the review of all data. States are given a formal opportunity to review remedies to ensure that they incorporate State standards. Public participation in addressing releases at Federal facilities is enhanced by SARA, which establishes a Federal Agency Hazardous Waste Compliance Docket. This docket functions as a repository of information for the public and is available for public inspection. Every six months after establishment of the docket, EPA will publish in the Federal Register a list of the Federal facilities that have been included in the docket during the proceeding six month period.

This interaction is important because it provides the opportunity to share information about the site and may reduce delays in conducting response actions.

The enforcement process begins with the search for PRPs, concurrent with NPL listing.

Once identified, PRPs are typically issued a general notice letter. The general notice informs PRPs of their potential liability. The general notice also may include a request for and a release of information on PRPs and the substances at the site. The overall purposes of the general notice are to provide PRPs and the public with advance notice of possible future negotiations with EPA, to open the lines of communication between EPA and PRPs, and to advise PRPs of potential liability.

In addition to the general notices, EPA may issue a "special notice," which invokes a temporary moratorium on certain EPA remedial and enforcement activities. An RI/FS special notice initiates a 90-day moratorium and an RD/RA special notice initiates a 120-day moratorium.

The moratorium provides a period of time during which EPA and PRPs negotiate. The goal of negotiations is for EPA and PRPs to reach a settlement where the PRPs agree to conduct and/or finance response activities. Negotiations may be terminated after 60 days for either the RI/FS or RD/RA if PRPs do not provide EPA with a "good faith" settlement offer.

Negotiations for the RI/FS

The PRP may conduct the RI/FS if EPA determines the PRP is qualified to conduct the RI/FS and if the PRP agrees to reimburse EPA for the cost of oversight. The terms of this agreement to conduct the RI/FS are outlined in either an Administrative Order on Consent or a Consent Decree, both of which are enforceable in court. If negotiations do not result in an order or a decree, EPA may use Trust Fund

monies to perform the RI/FS and seek reimbursement for its costs.

Negotiations for the RD/RA

Where a special notice is used, the moratorium for RD/RA may be extended to a total of 120 days. The terms of the agreement to conduct the RD/RA are outlined in a Consent Decree, which all parties sign and is entered in court. If negotiations do not result in a settlement, EPA may conduct the remedial activity using Trust Fund monies, and sue for reimbursement of its costs with the assistance of the Department of Justice(DOJ). Or EPA may issue a unilateral administrative order or directly file suit to force the PRPs to conduct the remedial activity.

Administrative Record

The information used by EPA to select a remedy at a site must be made available to the public. This information, including public comments, is compiled and maintained in the administrative record files. The administrative record serves two main purposes. First, it ensures an opportunity for public involvement in the selection of a remedy at a site. Second, it provides a basis for judicial review of the selection.

TOOLS FOR ENFORCEMENT

In addition to outlining the procedures for the enforcement _process_, CERCLA provides _tools_ that are designed to help EPA achieve settlements. The CERCLA settlement authorities may be used by EPA to foster negotiations with PRPs instead of taking them to court. EPA believes that PRPs should be involved early in the Superfund process at a site. It is in the best interest of PRPs to negotiate with EPA and to conduct the RI/FS, as this can keep the process smooth and costs can be controlled. EPA actively promotes settlements with PRPs using tools in SARA and is continuing to work towards improvements in the settlement process itself. These new SARA tools include, but are not limited to:

Mixed Funding

CERCLA authorizes the use of "mixed funding." In mixed funding, settling PRPs and EPA share the costs of the response action and EPA pursues viable non-settlers for the costs EPA incurred. Through guidance, EPA discusses the use of three types of mixed funding arrangements. These are "preauthorization," where the PRPs conduct the remedial action and EPA agrees to reimburse the PRPs for a portion of their response costs "cash-outs," where PRPs pay for a portion of the remedial costs and EPA conducts the work; and "mixed work," where EPA and PRPs both agree to conduct and finance discrete portions of a remedial action. EPA prefers a "preauthorized" mixed-funding agreement, where PRPs conduct the work.

EPA encourages the use of mixed funding to promote settlement and site remediation, but will continue to seek 100 percent of response costs from PRPs where possible. Use of mixed funding does not change EPA's approach to determining liability. PRPs may be held jointly and severally liable and EPA will seek to recover EPA's mixed funding share from non-settling PRPs whenever possible.

De Minimis Settlements

De minimis settlements are smaller agreements separate from the larger settlement for the chosen remedy. Under de minimis settlements, relatively small contributors of waste to a site, or certain "innocent" landowners, may resolve their liability. Innocent landowners are parties who brought property

without knowing that it was used for hazardous waste handling. Or EPA may enter into de minimis settlement agreements with a party where the settlement includes only a minor portion of the response costs and when the amount of waste represents a relatively minor amount and is not highly toxic, compared to other hazardous substances at the facility. De minimis settlements also may be used where the PRP is a site owner who did not conduct or permit waste management or contribute to the release of hazardous substances. De minimis settlements are typically used in conjunction with covenant not to sue agreements. These agreements generally will be in the form of administrative orders on consent and are available for public comment.

Covenants Not To Sue

A covenant not to sue may be used to limit the present and future liability of PRPs, thus encouraging them to reach a settlement early. However, agreements generally include "reopeners" that would allow EPA to hold parties liable for conditions unknown at the time of settlement or for new information indicating that the remedial action is not protective of human health and the environment. In some cases, such as de minimis settlements, releases may be granted without reopeners. Covenants not to sue are likely to be used only in instances where the negotiating PRP is responsible for only a very small portion of a site, and, therefore, EPA is assured that any future problems with the site are not likely to be the result of that PRP's contribution.

Non-binding Allocations of Responsibility (NBAR)

NBAR is a process for EPA to propose a way for PRPs to allocate costs among themselves. EPA may decide to prepare an NBAR when the Agency determines this allocation is likely to promote settlement. An NBAR does not bind the government or PRPs and cannot be admitted as evidence or reviewed in any judicial proceeding, including citizen suits. Since each PRP may be held liable for the entire cost of response, regardless of the size of its contribution to a site, knowing EPA's proposed allocation scheme may encourage the PRPs to settle out of court rather than run the risk of being held fully responsible.

STATE PARTICIPATION

The Superfund program allows for and encourages State participation in enforcement activities. First, EPA is required to notify the State of negotiations with PRPs and provide the opportunity for the State to participate. States may be a party to any settlement in which they participate. In addition, EPA is authorized to provide funds to States to allow State participation in enforcement activities and to finance certain State-lead enforcement actions.

PUBLIC PARTICIPATION/COMMUNITY RELATIONS

EPA policy and the Superfund law establish a strong program of public participation in the decision-making process at both Fund-lead and enforcement sites. The procedures and policy for public participation at enforcement sites are basically the same as for non-enforcement sites. This fact sheet is limited to those special differences in community relations when the Agency is negotiating with or pursuing litigation against PRPs. The contact listed below has numerous fact sheets on the Superfund program, including a fact sheet on Public Involvement.

Community relations at enforcement-lead sites may differ from community relations activities at Fund-lead sites because negotiations between EPA, DOJ and PRPs generally focus on the issue of liability. The negotiation process, thus, requires that some information be kept confidential and is not usually open to the public.

When these discussions deal with new technical information that changes or modifies remedial decisions, this information will be documented and placed in the administrative record files. This process provides the public with critical information and enables the Agency to move quickly towards settlement. Information on enforcement strategy; details of the negotiations, such as the behavior, attitudes, or legal positions of responsible parties; and evidence or attorney work product material developed during negotiations, must remain confidential.

APPENDIX D

COMMUNITY RELATIONS ACTIVITIES REQUIRED UNDER CERCLA

Community Relations Activities Required Under CERCLA

The community relations activities required by CERCLA are presented in the following tables that are organized according to the type of action being conducted as part of the CERCLA process. In each table, the site activity required by CERCLA is listed in the left column and the details of the activity are located in the middle column. The federal law pertaining to the requirement is listed in the right column of each table. These tables were adapted from the guidance document *Community Relations in Superfund: A Handbook* (EPA, 1992a).

Table D-1. Community Relations Activities to be Conducted Prior to the Remedial Investigation

Site Activity	Requirement(s)	Source of the Requirement(s)
Community Interviews	The agency must hold on-site discussions with local officials and community members to assess the public's concerns and determine appropriate community relations activities.	NCP §300.430(c)(2)(i)
Community Relations Plan	The agency must develop and approve a complete Community Relations Plan based on community interviews before remedial investigation field activities start.	NCP §300.430(c)(2)(ii)(A-C)
Information Repository	The agency must establish an information repository to contain items developed, received, published, or made available pursuant to §117. The agency must make these items available for public inspection and copying and inform interested citizens of the establishment of the information repository.	SARA §117 (d); NCP §300.430(c)(2)(iii)
Technical Assistance Grant (TAG) Program	The agency must inform the public of the availability of TAGs and include in the information repository material that describes the TAG application process.	NCP §300.430(c)(2)(iv)

Table D-2. Community Relations Activities to be Conducted Upon Commencement of the Remedial Investigation

Site Activity	Requirement(s)	Source of the Requirement(s)
Administrative Record	The agency must establish an administrative record. The agency must consider the participation of interested persons when establishing the administrative record.	SARA §113 (k); NCP §300.815
Administrative Record Notification	The agency must publish a notice of availability of the administrative record in a major local newspaper of general circulation.	NCP §300.815

Table D-3. Community Relations Activities to be Conducted Upon Completion of the Feasibility Study and Proposed Plan

Site Activity	Requirement(s)	Source of the Requirement(s)
RI/FS and Proposed Plan Notification and Analysis	The agency must publish a notice of availability of the RI/FS and Proposed Plan, including a brief summary of the Proposed Plan, in a major local newspaper of general circulation. The notice also must announce a comment period.	SARA §117(a)(2); NCP §300.430(f)(3)(i)(A)
Public Comment Period on RI/FS and Proposed Plan	The agency must provide at least 30 days for the submission of written and oral comments on the RI/FS and Proposed Plan. This comment period will be extended by a minimum of 30 additional days upon timely request.	SARA §117(a) and (d); NCP §300.430(f)(3)(c)
Public Meeting	The agency must provide an opportunity for a public meeting to be held at or near the site during the comment period.	SARA §113 and §117(a)(2); NCP §300.430(f)(3)(i)(D)
Meeting Transcript	The agency must prepare a meeting transcript and make it available to the public.	SARA §117(a)(2); NCP §300.430(f)(3)(i)(E)
Responsiveness Summary	The agency must prepare a response to significant comments, criticism, and new data submitted on the Proposed Plan and RI/FS, and ensure that this response document accompanies the ROD.	SARA §113 and §117(b); NCP §300.430(f)(3)(i)(F)

Table D-4. Community Relations Activities to be Conducted When There are Pre-Record of Decision Significant Changes

Site Activity	Requirement(s)	Source of the Requirement(s)
Discussion of Significant Changes	Upon determination that such changes could be reasonably anticipated by the public, the agency must include in the ROD a discussion of significant changes and the reasons for such changes.	NCP §300.430(f)(3)(ii)(A)
Revised Proposed Plan and Public Comment	Upon determination that such changes could not have been reasonably anticipated by the public, the agency must issue a revised Proposed Plan. The agency must seek additional public comment on the revised Proposed Plan.	NCP §300.430(f)(3)(ii)(B)

Table D-5. Community Relations Activities to be Conducted After the Record of Decision is Signed

Site Activity	Requirement(s)	Source of the Requirement(s)
ROD Availability and Notification	<p>The ROD must be available for public inspection and copying prior to the commencement of any remedial action.</p> <p>The agency must publish a notice of the ROD's availability in a major local newspaper of general circulation. The notice must state the basis and purpose of the selected action.</p>	NCP §300.430(f)(6)
Revision of the CRP	The CRP should be revised, if necessary, prior to remedial design. The revised CRP should reflect community concern, as discovered during interviews and other activities, that pertains to the remedial design and construction phase.	NCP §300.435(c)(1)

Table D-6. Community Relations Activities to be Conducted When There are Post-Record of Decision Significant Changes

Site Activity	Requirement(s)	Source of the Requirement(s)
Notice and Availability of Explanation of Significant Differences	<p>To be done if the remedial action differs significantly from the remedy selected in the ROD:</p> <p>The agency must publish a notice that briefly summarizes the explanation of significant differences and the reasons for such differences in a major local newspaper. The explanation and supporting information must be made available in the information repository and the administrative record.</p>	NCP §300.435(c)(2)(i)(A) and (B)
Notice of Availability/ Brief Description of Proposed ROD Amendment	<p>To be done if the remedial action fundamentally alters the basic features of the selected remedy:</p> <p>The agency must propose an amendment to the ROD and issue a notice of availability and a brief description of the proposed amendment in a major local newspaper.</p>	NCP §300.435(c)(2)(ii)(A)
Public Comment Period, Public Meeting, Transcript, and Responsiveness Summary	The agency must follow the same procedures as that required for completion of the FS and Proposed Plan.	NCP §300.435(c)(2)(ii)(B)-(F)
Notice and Availability of an Amended ROD	The agency must publish a notice of availability of the amended ROD in a major local newspaper, and must make the amended ROD and supporting information available for public inspection and copying in the administrative record and information repository prior to commencement of the remedial action affected by the amendment.	NCP §300.435(c)(2)(ii)(G) and (H)

Table D-7. Community Relations Activities to be Conducted During Remedial Design

Site Activity	Requirement(s)	Source of the Requirement(s)
Fact Sheet and Public Briefing	When the final engineering design is finished, issue a fact sheet and provide, as appropriate, a public briefing prior to beginning the remedial action. The briefing should provide the community with information about construction schedules, traffic pattern changes, locations of monitors, and the manner in which information will be provided throughout the remedial action.	NCP §300.435(c)(3)

Table D-8. Community Relations Activities to be Conducted When the Site is to be Deleted from the National Priorities List

Site Activity	Requirement(s)	Source of the Requirement(s)
Public Notice and Comment Period	EPA is required to publish a notice of intent to delete in the Federal Register and provide notice of the availability. EPA also must provide a public comment period of at least 30 days on the proposed deletion.	NCP §300.425(e)(4)(i) and (ii)
Public Access to Information	EPA must place copies of information supporting the proposed deletion in the information repository for public inspection and copying.	NCP §300.425(e)(4)(iii)
Response to Significant Comments	EPA must respond to each significant comment and any significant new data submitted during the comment period, and must include these responses in the final deletion package.	NCP §300.425(e)(4)(iv)
Availability of Final Deletion Package	EPA must place the final deletion package in the local information repository once the notice of final deletion has been published in the Federal Register.	NCP §300.425(e)(5)

Table D-9. Required Community Relations Activities to be Conducted for All Removal Actions

Site Activity	Requirement(s)	Source of the Requirement(s)
Agency Spokesperson	An agency spokesperson must be designated to perform the following duties: Inform the public about the release and actions taken Respond to questions Notify immediately affected citizens, State and local officials, and, when appropriate, civil defense or emergency management agencies.	NCP §300.415(m)(1)
Administrative Record	The agency must establish an administrative record and make the record available to the public at a central location and at or near the site, if applicable.	SARA §113(k); NCP §300.820

Table D-10. Community Relations Activities to be Conducted for Removal Actions with a Planning Period of Less than Six Months

Site Activity	Requirement(s)	Source of the Requirement(s)
Notice and Availability of Administrative Record	Within 60 days of the start of on-site removal activity, the lead agency must: Make the administrative record available to the public Issue a notice of availability in a major local newspaper of general circulation.	NCP §300.415(m)(2)(i) and §300.820(b)(1)
Public Comment Period	The agency must provide a public comment period, if appropriate, of not less than 30 days from the time the administrative record is made available for public inspection.	NCP §300.415(m)(2)(ii)
Response to Significant Comments	The agency must prepare a written response to significant comments.	NCP §300.415(m)(2)(iii)

Table D-11. Community Relations Activities to be Conducted for Removal Actions Expected to Extend Beyond 120 Days

Site Activity	Requirement(s)	Source of the Requirement(s)
Community Interviews	By the end of the 120-day period, the agency must conduct interviews with local officials, public interest groups, or other interested parties to determine their concerns and information needs, and to learn how citizens would like to be involved in the CERCLA process.	NCP §300.415(m)(3)(i)
Community Relations Plan (CRP)	<p>The agency must prepare a formal CRP within 120 days of the start of on-site removal activity.</p> <p>The CRP, based on community interviews and other relevant information, specifies the community relations activities the agency plans to undertake during the response.</p>	NCP §300.415(m)(3)(ii)
Information Repository Establishment and Notification/Notice of Availability of Administrative Record	<p>Within 120 days of the start of on-site removal activity, the agency must establish at least 1 information repository at or near the location of the removal action.</p> <p>The repository must contain items available for public inspection and copying.</p> <p>The agency must inform the public of the establishment of the information repository and provide notice of the availability of the administrative record in this repository.</p>	NCP §300.415(m)(3)(iii)

Table D-12. Community Relations Activities to be Conducted for Removal Actions with a Planning Period of at Least Six Months

Site Activity	Requirement(s)	Source of the Requirement(s)
Community Interviews and Community Relations Plan (CRP)	The agency must follow the same procedures as outlined in Table D-11 (for Removal Actions Expected to Extend Beyond 120 Days), except that staff must conduct interviews and prepare a CRP prior to completion of the EE/CA.	NCP §300.415(m)(4)(i)
Information Repository Establishment and Notification/Notice of Availability of Administrative Record	The agency must follow the same procedures as outlined in Table D-11 (for Removal Actions Expected to Extend Beyond 120 Days), except that staff must establish the information repository and make the administrative record available no later than the signing of the EE/CA approval memorandum.	NCP §300.415(m)(4)(i)
Notice of Availability/Description of the EE/CA	The agency must publish a notice of availability and a brief description of the EE/CA in a major local newspaper of general circulation.	NCP §300.415(m)(4)(ii)
Public Comment Period	Upon completion of the EE/CA, the agency must: Provide at least 30 days for the submission of written and oral comments Extend this comment period by at least 15 days upon timely request.	NCP §300.415(m)(4)(iii)
Responsiveness Summary	The agency must prepare a written response to significant comments and make this responsiveness summary available to the public in the information repository.	NCP §300.415(m)(4)(iv)

APPENDIX E

LIST OF KEY CONTACTS AND INTERESTED PARTIES

List of Key Contacts and Interested Parties

COMMUNITY RELATIONS AND TECHNICAL INFORMATION CONTACT

Peter Robles, Jr.
NASA Management Office
Jet Propulsion Laboratory
4800 Oak Grove Drive
Pasadena, CA 91101
Phone: (818) 393-2920
Fax: (818) 393-2607
E-mail: probles@nmo.jpl.nasa.gov

REGULATORY CONTACTS

Mark Ripperda
U.S. Environmental Protection Agency
Region 9
75 Hawthorne Street, M/S SFD-8-3
San Francisco, CA 94105
Phone: (415) 972-3028
Fax: (415) 744-1916
E-mail: Ripperda.Mark@epamail.epa.gov

Richard Gebert
California Environmental Protection Agency
Department of Toxic Substances Control
1011 North Grandview Avenue
Glendale, CA 91201
Phone: (818) 551-2859
Fax: (818) 551-2874
E-mail: RGebert@dtsc.ca.gov

Mohammad M. Zaidi □ □
Regional Water Quality Control Board,
Los Angeles Region
320 West 4th Street, Suite 200
Los Angeles, CA 90013
Phone: (213) 576-6732
Fax: (213) 576-6640
E-mail: mzaidi@rb4.swrcb.ca.gov

FEDERAL ELECTED OFFICIALS

Adam Schiff, U.S. Representative
Represents the 27th Congressional District
(Altadena, La Cañada Flintridge, parts of
Pasadena)

Washington, DC Office
437 Cannon House Office Building
Washington, DC 20515
Phone: (202) 225-4176
District Office
Braley Building
35 S. Raymond Ave. #205
Pasadena, CA 91105
Phone: (626) 304-2727

David Dreier, U.S. Representative
Represents the 28th Congressional District (parts
of Pasadena)

Washington, DC Office
237 Cannon House Office Building
Washington, DC 20515
Phone: (202) 225-2305
District Office
Braley Building
2220 East Route 66, Suite 225
Glendora, CA 91740
Phone: (626) 852-2626

Barbara Boxer, U.S. Senator

Washington, DC Office
112 Hart Senate Office Building
Washington, DC 20510-0505
Phone: (202) 224-3553
District Office
312 N. Spring Street, Suite 1748
Los Angeles, CA 90012
Phone: (213) 894-5000

Diane Feinstein, U.S. Senator

Washington, DC Office

331 Hart Senate Office Building

Washington, DC 20510-0504

Phone: (202) 224-3841

District Office

11111 Santa Monica Blvd Suite 915

Los Angeles, CA 90025

Phone: (310) 914-7300

STATE ELECTED OFFICIALS

Gray Davis, Governor

State Capitol Building

Sacramento, CA 95814

Phone: (916) 445-2841

Fax: (916) 445-4633

E-mail: governor@governor.ca.gov

Joseph Simitian, State Senator

Represents the 21st Senate District (includes

Altadena, La Cañada Flintridge, Pasadena)

160 Town and Country Village

Palo Alto, CA 94301

Phone: (650) 688-6330

Fax: (650) 688-6336

E-mail: Joe.Simitian@asm.ca.gov

Carol Liu, State Assemblywoman

Represents the 44th Assembly District (includes

Altadena, La Cañada Flintridge, Pasadena)

215 North Mareng Avenue, Suite 115

Pasadena, CA 91101

Phone: (626) 577-9944

Fax: (626) 577-2868

E-mail:

Assemblymember.Liu@assembly.ca.gov

Dario Frommer, State Assemblyman

Represents the 43rd District (includes Burbank,
parts of Glendale, and parts of Los Angeles)

111 E. Broadway, Suite 205

Glendale, CA 91205

Phone: (818) 240-6330

E-mail:

Assemblymember.Frommer@assembly.ca.gov

COUNTY OFFICIALS

Michael Antonovich, Supervisor – County of
Los Angeles, 5th District

Hall of Administration

500 West Temple, #869

Los Angeles, CA 90012

Phone: (213) 974-5555

Fax: (213) 974-1010

E-mail: fifthdistrict@bos.co.la.ca.us

Board of Supervisors for Los Angeles County

1st District: Gloria Molina

2nd District: Yvonne Breathwaite-Burke

3rd District: Zev Yaroslavsky

4th District: Don Knabe

5th District: Michael Antonovich

MAYORS AND LOCAL OFFICIALS OF SURROUNDING COMMUNITIES

Pasadena Public Health Department

Wilma J. Allen, Director of Public Health

1845 North Fair Oaks Avenue

Pasadena, CA 91103

Phone: (626) 744-6005

Bill Bogaard, Mayor, City of Pasadena

100 North Garfield Avenue, Room 237

Pasadena, CA 91109

Phone: (626) 744-4311

Fax: (626) 744-3921

www.ci.pasadena.ca.us

Pasadena City Council

100 North Garfield Avenue, Room 237

Pasadena, CA 91109

Phone: (626) 744-4311

www.ci.pasadena.ca.us/citycouncil.asp

City Council Members:

1st District: Joyce Streater

2nd District: Paul Little (Vice Mayor)

3rd District: Chris Holden

4th District: Steve Haderlein

5th District: Victor Gordo

6th District: Steve Madison

7th District: Sid Tyler

Altadena Town Council

600 East Mariposa St.

Altadena, CA 91001

Phone: (818) 798-3616

www.altadenatowncouncil.org

Executive Committee:

Chairman: Ken Balder

Vice Chairman: Mike Manning

Recording Secretary: Lori Judson

Corresponding Secretary: Doug Molitor

Treasurer: Bobby Thompson

La Cañada Flintridge City Council

City Hall 1327 Foothill Blvd.

La Cañada, CA 91011

Phone: (818) 790-8880

www.lacanadaflintridge.com

City Council Members:

Mayor: David A. Spence

Mayor Pro-Tem: Stephen A. Del

Guercio

Councilmember: Anthony J. Portantino

Councilmember: Deborah K. Orlik

Council Member: Jerry G. Martin

OTHER FEDERAL AGENCIES

Agency for Toxic Substances and Disease

Registry (ATSDR)

75 Hawthorne Street

Room 100, Mail Code HHS-1

San Francisco, CA 94105

Phone: (415) 744-1771

www.atsdr.cdc.gov

MEDIA REPRESENTATIVES

Los Angeles Times

Times Mirror Square

Los Angeles, CA 90053

Phone: (800) 252-9141

Pasadena Star News

911 East Colorado Blvd.

Pasadena, CA 91009

Phone: (626) 578-6300

www.pasadenastarnews.com

The News-Press

111 W. Wilson Avenue, Suite 200

Glendale, CA 91203

Phone: (818) 637-3200

www.latimes.com

La Cañada Valley Sun

1 Valley Sun Lane

La Cañada, CA 91011

Phone: (818) 790-8774

www.lacanadaonline.com

KPCC Radio

11570 East Colorado Blvd.

Pasadena, CA 91106

Phone: (626) 585-7000

www.kpcc.org

APPENDIX F

EXAMPLE OF A DIRECT MAILING



Public Comment Period and Public Meeting Announcement: Proposed Plan for Cleanup of Soil at the National Aeronautic Space Administration Jet Propulsion Laboratory

PUBLIC MEETING

For those who missed the public meetings held on May 12 and 14, 2001, the National Aeronautics and Space Administration (NASA) will hold an additional public meeting to discuss the proposed cleanup of soils at its Jet Propulsion Laboratory (JPL) in Pasadena, California. The public meeting will be held at the following location and date:

Eliot Middle School Auditorium
2184 North Lake Avenue
Altadena, CA 91001

June 20, 2001

Summary presentation:	7:00 p.m.
Information forum:	6:00 p.m.–9:00 p.m.
Formal comment session:	7:30 p.m.

During the “information forum,” the public will have the opportunity to speak with NASA and federal and local regulatory agency representatives on a one-on-one basis about the proposed cleanup actions. Following the summary presentations, attendees can formally address questions to these representatives that will be included in a transcript and become part of the final decision made for the proposed action.

BACKGROUND FOR THE MEETING

JPL is a federal facility owned by NASA and is located between the city of LaCanada-Flintridge and the unincorporated city of Altadena, near Pasadena, California. JPL covers about 176 acres of land and includes more than 150 buildings and other structures. The JPL site was added to the National Priorities List (NPL) and became a “Superfund” site in 1992 after an initial inspection revealed the presence of volatile organic compounds (VOCs) and other chemicals in the subsurface soil and groundwater. The purpose of this notice is to invite the public to provide comments and ask questions on the Proposed Plan for cleanup of subsurface or “vadose zone” soils at the site. The Proposed Plan was previously mailed to the public during the second week of May 2001. If you did not receive a copy of the Proposed Plan or would like an additional copy, please contact Mr. Peter Robles, Jr. at the number provided in this notice.

NASA is proposing soil vapor extraction (SVE) as the preferred remedy for recovering VOCs from the soils. SVE systems are designed to remove chemicals that have a tendency to evaporate or “volatilize” easily by applying a vacuum through a system of underground wells. The VOCs are then pulled from the subsurface in vapor form where they are treated and clean air is vented from the system. SVE was shown to be effective based on a pilot test of the system at JPL.

This proposed remedy would involve installation of up to five vapor extraction wells and vapor treatment systems on the JPL

site. The extraction wells and vapor treatment systems would be operated until VOCs in soil vapor have been reduced to an agreed-upon level. As part of the cleanup process, a soil-vapor monitoring program, currently in place, would be used to track concentrations and evaluate the extent of VOCs in soil vapor over time.

Final decisions on the cleanup plans will be made after public comments have been received and considered. The public comment period has been extended 30 days and now ends July 11, 2001 to allow for greater public participation in this decision process. Written comments should be mailed or e-mailed to Mr. Peter Robles, Jr. at the address provided in this notice, or brought to the public meeting.

ADDITIONAL INFORMATION

An administrative record file has been prepared in accordance with federal regulations governing the cleanup of facilities where there has been a release of hazardous substances into the environment. The administrative record includes site documentation, including the Remedial Investigation, Feasibility Study, and Proposed Plan. Local residents and other interested parties are encouraged to review available Superfund information at the following information repositories:

Altadena Public Library
600 E. Mariposa Ave.
Altadena, CA 91001
(626) 798-0833

LaCanada-Flintridge Public Library
4545 Oakwood Ave.
LaCanada-Flintridge, CA 91011
(818) 790-3330

Pasadena Central Library
285 E. Walnut St.
Pasadena, CA 91101
(626) 744-4052

CONTACT INFORMATION

Questions regarding the Proposed Plan, Feasibility Study, Remedial Investigation, administrative record, and/or other issues should be directed to the contact below:

Mr. Peter Robles, Jr.
NASA Management Office
Jet Propulsion Laboratory
4800 Oak Grove Drive
Pasadena, CA 91101
Phone: (818) 393-2920
Fax: (818) 393-2607
E-mail: probles@nmo.jpl.nasa.gov

NASA Management Office, Jet Propulsion Laboratory
4800 Oak Grove Drive
Pasadena, CA 91101

Public Meeting

For those who missed the first two meetings, a third public meeting will be held on

June 20, 2001

<i>Summary presentation:</i>	<i>7:00 p.m.</i>
<i>Information forum:</i>	<i>6:00 p.m.–9:00 p.m.</i>
<i>Formal comment session:</i>	<i>7:30 p.m.</i>

at

***Eliot Middle School
2184 North Lake Avenue
Altadena, CA 91001***

**The public is invited to this meeting to discuss the
Proposed Plan to Select a Remedy to Clean Up Soils
at the NASA Jet Propulsion Laboratory, Pasadena, California**

APPENDIX G

EXAMPLES OF NEWS RELEASES

Example of a Radio Announcement on KPPC-FM station

Text was read as follows:

“Programming on KPCC is supported by the NASA Jet Propulsion Laboratory...holding a public meeting Wednesday, June 20th at Eliot Middle School in Altadena to discuss the proposed cleanup of soils at JPL. Information is available at 818-393-2920.”

Example of a Newspaper Announcement

The following page contains a newspaper announcement that was printed in the *Pasadena Star-News* on May 7, 8, 9, 10, 11, 2001 to announce the May 12 and May 14, 2001 public meetings for Operable Unit 2.

**Public Comment Period
Proposed Plan for Cleanup of Soil
at the National Aeronautic Space Administration
Jet Propulsion Laboratory**

The National Aeronautics and Space Administration (NASA) will hold two public meetings to discuss the proposed cleanup of soils at its Jet Propulsion Laboratory (JPL) in Pasadena, California. The public meetings will be held at the following location and on the following dates:

Von Karmann Auditorium,
NASA Jet Propulsion Laboratory
4800 Oak Grove Drive
Pasadena, CA 91101

May 12, 2001

Information forum will be open from 1:00–4:00 p.m. A summary presentation will begin at 2:30 p.m. and will be followed by a **formal comment session**.

May 14, 2001

Information forum will be open from 6:00–9:00 p.m. A summary presentation will begin at 7:30 p.m. and will be followed by a **formal comment session**.

During the "information forums," the public will have the opportunity to speak with NASA and federal and local regulatory agency representatives on a one-on-one basis about the proposed cleanup actions. Following the summary presentations, attendees can formally address questions to these representatives that will be included in a transcript which will become part of the final decision made for the proposed action.

JPL is a federal facility owned by the NASA and is located between the city of LaCanada-Flintridge and the unincorporated city of Altadena, near Pasadena, California. JPL covers about 176 acres of land and includes more than 150 buildings and other structures. The JPL site was added to the National Priorities List (NPL) in 1992 after an initial inspection revealed the presence of chlorinated solvents and other chemicals in the subsurface soil and groundwater. The purpose of this notice is to invite the public to provide comments and ask questions on the Proposed Plan for cleanup of subsurface or "vadose zone" soils at the site (which has been designated as Operable Unit 2 or OU-2).

The cleanup or "remedial action" objective for OU-2 is to prevent, to the extent practicable, the migration of volatile organic compounds (VOCs) from soil to groundwater. The Proposed Plan provides information about the alternatives considered to meet the remedial action objective and the rationale for selecting the proposed technology or "remedy." The Proposed Plan also serves to seek public input prior to making a final decision. NASA is proposing the following remedy as the preferred alternative:

NASA is proposing soil vapor extraction (SVE) as the preferred remedy for recovering VOCs from the soils at OU-2. SVE systems are designed to remove chemicals that have a tendency to evaporate or "volatilize" easily by applying a vacuum through a system of underground wells. The VOCs are then pulled from the subsurface in vapor form and treated before discharge to the atmosphere. SVE was shown to be effective based on pilot tests NASA conducted at OU-2.

Under this proposed remedy, up to five vapor extraction wells and vapor treatment systems would be installed. The extraction wells and vapor treatment systems would be operated until VOCs in soil vapor have been reduced to an agreed-upon level. To some extent, natural processes will also assist in the overall remediation of the soils. As part of the cleanup process, a soil-vapor monitoring program, currently in place, would be used to track concentrations and evaluate the extent of VOCs in soil vapor over time.

Final decisions on the cleanup plans will be made

after public comments have been received and considered. The public comment period is May 7 through June 11, 2001. If requested, NASA may consider extending the public comment period. Written comments and requests for extension of the comment period should be mailed or e-mailed to Mr. Peter Robles, Jr. at the address provided in this notice, or brought to the public meeting.

An administrative record file has been prepared in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended by Superfund Amendments and Reauthorization Act of 1986. CERCLA governs the cleanup of facilities where there has been a release of hazardous substances into the environment. The administrative record includes the site Remedial Investigation, Feasibility Study, and Proposed Plan. The administrative record is located at JPL and several local "information repositories." Local residents and other interested parties are encouraged to review the Proposed Plan at the following information repositories:

Altadena Public Library
600 E. Mariposa Ave.
Altadena, CA 91001
(626) 798-0833
LaCanada-Flintridge Public Library
4545 Oakwood Ave.
LaCanada-Flintridge, CA 91011
(818) 790-3330
Pasadena Central Library
285 E. Walnut St.
Pasadena, CA 91101
(626) 744-4052

Questions regarding the Proposed Plan, Feasibility Study, Remedial Investigation, administrative record, and/or other issues should be directed to the contact below:

Mr. Peter Robles, Jr.
NASA Management Office, Jet Propulsion
Laboratory
4800 Oak Grove Drive
Pasadena, CA 91101
Phone: (818) 393-2920
Fax: (818) 393-2607
E-mail: probles@nmo.jpl.nasa.gov

Publish: May 7, 8, 9, 10, 11, 2001
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